



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

1999-50-2009

Vereniging VRIJBIT
Mr/Mrs J.M.T. Wijnberg
Kruisweg 32
NL - 3513 CT UTRECHT

THIRD SECTION

ECHR-LE2.0R
AVS/waw

24 August 2009

Application no. 45692/09
Vereniging Vrijbit v. the Netherlands

Dear Sir/Madam,

I acknowledge receipt on 10 August 2009 of your letter of 2 August 2009 requesting the European Court of Human Rights to indicate to the Government of the Netherlands, by way of interim measure (*voorlopige maatregel*), to halt the storage of biometric data in a central passport database.

Your file has been given the above number. You must refer to it in any further correspondence relating to this case.

In order to process your application more efficiently, please find enclosed a set of 10 barcode labels for your use exclusively in this case. If you send the Registry a letter or any other correspondence, please stick one of the barcode labels on the top right-hand corner of the **first** page of the correspondence.

I would inform you that, according to the Court's practice, applications that manifestly fall outside the scope of Rule 39 of the Rules of Court are not submitted to the President of the Chamber for decision.

In the present case, the situation you have outlined in your letter is not one of those in which the measure provided for in Rule 39 can be applied.

Interim measures are indicated only in limited spheres. Although it does receive a number of requests for interim measures, in practice the Court applies Rule 39 only if there is an imminent risk of irreparable damage. While there is no specific provision in the Convention concerning the domains in which Rule 39 will apply, requests for its application usually concern the right to life (Article 2), the right not to be subjected to torture or inhuman treatment (Article 3) and, exceptionally, the right to respect for private and family life (Article 8) or other rights guaranteed by the Convention. The vast majority of cases in which interim measures have been indicated concern deportation and extradition proceedings (see *Mamatkulov and Askarov v. Turkey* [GC], nos. 46827/99 and 46951/99, § 104, 4 February 2005).

You will find enclosed a document containing a copy of the Convention and its Protocols and the official application form with an explanatory note for prospective applicants.


If, after a careful study of the foregoing documents, you are satisfied that your case meets all the appropriate criteria, you should fill in the application form carefully, legibly and completely as it will provide the basis for the Court's examination. It should be accompanied by copies of all relevant documents (unstapled and numbered pages), in particular any decisions of national courts or authorities which you wish to challenge before the Court. **Please note that if you send original documents, they will not be returned to you by the Court.**

You should return the completed application form not later than eight weeks from the date of the present letter. In other words, the date on which you send back the completed application form must not be later than **19 October 2009**. Failure to comply with this time-limit will mean that it is the date of the submission of the completed application form and not that of your first communication which will be taken as the date of the introduction of the application. Your attention is drawn to the fact that it is the date of introduction that is decisive for compliance with the time-limit set out in Article 35 § 1 of the Convention (see para. 18 in enclosed notes to applicants).

For safety reasons, any object sent to the Court without having being expressly requested by the Registry will be destroyed immediately together with the cover letter. If you consider sending documents other than on paper, you should first get in touch with the Registry.

The file opened in respect of your communication will be submitted for judicial decision, six months from the date of the present letter, if the completed application form has been received in the meantime.

Yours faithfully,


S. Quesada
Section Registrar

Enc: Application package

